

APR 17 2007

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MICHAEL N. KELBY, CLERK OF COURT

UNITED STATES OF AMERICA)

v.)

MARIO CADORETTE,)

Defendant.)

Criminal No.:

Hughes
H 07 - 144

Violation:

18 U.S.C. § 371

18 U.S.C. § 1343

18 U.S.C. § 2

INDICTMENT

The Grand Jury charges that:

INTRODUCTION

At all times material to this Indictment:

1. **MARIO CADORETTE**, the Defendant herein, was president of a company in the business of manufacturing and selling slats for window blinds. Slat is the louvers of window blinds that can be adjusted to let in more or less light. The Defendant's employer sold slats to fabricators and others. A fabricator makes slats into complete window blind units.
2. Whenever in this Indictment reference is made to any act, deed, or transaction of any corporation, the allegation means that the corporation engaged in the act, deed, or transaction by or through its officers, directors, agents,

employees, or other representatives while they were actively engaged in the management, direction, control, or transaction of its business or affairs.

COUNT ONE – CONSPIRACY
(18 U.S.C. § 371)

A. INTRODUCTION

1. The allegations in paragraphs 1 - 2 of the Introduction of this Indictment are adopted, realleged and incorporated as if set out fully herein.

B. THE CONSPIRACY AND ITS OBJECTS

2. From April 2002 to on or about July 9, 2002, the exact dates being unknown to the Grand Jury, in the Houston Division of the Southern District of Texas and elsewhere, the Defendant, **MARIO CADORETTE**, did knowingly combine, conspire, confederate, and agree with others to commit the following offense against the United States, namely, having knowingly devised and intending to devise a scheme and artifice to defraud as to a material matter, and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing the scheme and artifice to defraud, transmitted and caused to be transmitted writings, signals, and sounds, by means of wire communication in interstate and foreign commerce, in violation of Title 18, United States Code, Section 1343.

C. MANNER AND MEANS OF THE CONSPIRACY

3. It was a part of the conspiracy that the Defendant and co-conspirators would and did knowingly devise and intend to devise a scheme and artifice to defraud slats customers of money and the right to free and open competition in the pricing of slats by secretly fixing at noncompetitive and collusive levels the prices charged for slats (hereinafter “price-fixing scheme”).

4. It was further a part of the conspiracy that the Defendant and co-conspirators would and did participate in an international telephone conference call during which there was discussion of the need to increase prices for slats and the need to obtain the agreement of the slats manufacturers that were their competitors to raise their prices.

5. It was further a part of the conspiracy that the Defendant and co-conspirators would and did make and agree on assignments to contact specific competitors.

6. It was further a part of the conspiracy that the Defendant and co-conspirators would and did cause the placing of, and would and did participate in, interstate telephone calls with competitors to convince them to take part in the price-fixing scheme.

D. OVERT ACTS

7. In furtherance of the conspiracy and to effectuate the illegal objects thereof, the Defendant and co-conspirators committed the following overt acts, among others, in the Southern District of Texas and elsewhere.

a. During an international conference call on or about April 22 - 25, 2002, the Defendant and co-conspirators agreed on a price-fixing scheme whereby they would secretly convince competitors to increase slats prices by eight percent.

b. During that conference call, with the Defendant taking the lead, the Defendant and co-conspirators agreed to contact their competitors to convince them to take part in the price-fixing scheme.

c. During that conference call, the Defendant gave assignments to contact specific competitors, which were agreed upon by the co-conspirators.

d. Beginning shortly after that conference call, the Defendant and co-conspirators made a series of contacts with their competitors, including interstate telephone calls, to convince them to take part in the price-fixing scheme.

All in violation of Title 18 United States Code, Section 371.

COUNTS TWO THROUGH FIVE – WIRE FRAUD

(18 U.S.C. §§ 1343 and 2)

A. INTRODUCTION

1. The allegations in paragraphs 1 - 2 of the Introduction of this Indictment are adopted, realleged and incorporated as if set out fully herein.

B. THE SCHEME TO DEFRAUD

2. From April 2002 to on or about July 9, 2002, the exact dates being unknown to the Grand Jury, in the Houston Division of the Southern District of Texas and elsewhere, the Defendant, **MARIO CADORETTE**, aided and abetted by others, did knowingly devise and intend to devise a scheme and artifice to defraud as to a material matter and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, namely, to defraud slats customers of money and the right to free and open competition in the pricing of slats by secretly fixing at noncompetitive and collusive levels the prices charged for slats (hereinafter “price-fixing scheme”).

C. MANNER AND MEANS OF THE SCHEME TO DEFRAUD

3. Among the manner and means by which the Defendant, aided and abetted by others, sought to accomplish the purpose of the scheme to defraud were:

a. During an international conference call on or about April 22 - 25, 2002, the Defendant and others agreed on a price-fixing scheme whereby they would secretly convince competitors to increase slats prices by eight percent.

b. During that conference call, with the Defendant taking the lead, the Defendant and others agreed to contact their competitors to convince them to take part in the price-fixing scheme.

c. During that conference call, the Defendant gave assignments to contact specific competitors, which were agreed upon by the Defendant and others.

d. Beginning shortly after that conference call, the Defendant and others made a series of contacts with their competitors, including interstate telephone calls, to convince them to take part in the price-fixing scheme.

D. EXECUTION OF THE SCHEME TO DEFRAUD

4. On or about the dates set forth below, for the purpose of executing the aforementioned scheme to defraud, the Defendant transmitted and caused to be transmitted, writings, signals, and sounds, by means of wire communications, in interstate and foreign commerce, and the Defendant is charged with each Count, as further described in the chart of Counts below:

COUNT	DATE	WIRE TRANSMISSION
2	April 22 - 25, 2002	A telephone conference call involving the Defendant during which at least one participant on the call was in Houston, Texas and at least one other participant was outside the State of Texas, and during which the price-fixing scheme was discussed, agreed upon, and its execution planned. During the call the Defendant assigned others to contact competitors to further the scheme.
3	May 6, 2002	A telephone call, which occurred as a result of assignments given by the Defendant to contact competitors, involving one participant in Houston, Texas and the Defendant that was initiated outside the State of Texas by a competitor (in response to a voice-mail message from the participant in Houston, Texas), during which the participant in Houston, Texas and the Defendant tried to convince the competitor to take part in the price-fixing scheme.
4	May 8, 2002	A telephone call, which occurred as a result of assignments given by the Defendant to contact competitors, involving one participant in Houston, Texas, that was initiated outside the State of Texas by a competitor (in response to a voice-mail message from the participant in Houston, Texas), during which that participant tried to convince the competitor to take part in the price-fixing scheme.

5	May 8, 2002	A telephone call, which occurred as a result of assignments given by the Defendant to contact competitors, made by participants in Houston, Texas to a competitor who was outside the State of Texas during which the participants in Houston, Texas tried to convince the competitor to take part in the price-fixing scheme.
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All in violation of Title 18, United States Code, Sections 1343 and 2.

Original Signature on File

FOREPERSON



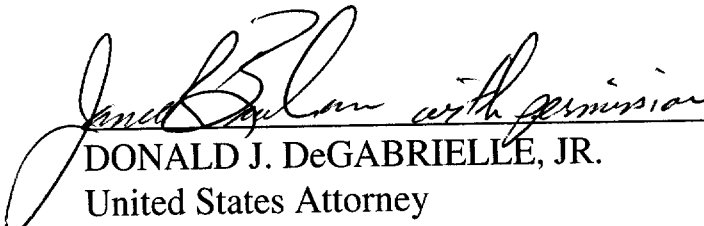
THOMAS O. BARNETT
Assistant Attorney General



SCOTT D. HAMMOND
Deputy Assistant Attorney General



MARC SIEGEL
Director of Criminal Enforcement
Antitrust Division
U.S. Department of Justice

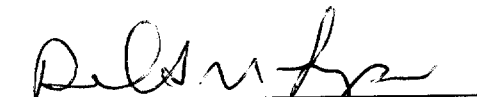

DONALD J. DeGABRIELLE, JR.
United States Attorney
Southern District of Texas



SCOTT M. WATSON
Chief, Cleveland Office



WILLIAM J. OBERDICK
(2235703-NY)



DONALD M. LYON
(19207-WA)

Attorneys, Antitrust Division
U.S. Department of Justice
Carl B. Stokes U.S. Court House
801 W. Superior Ave., 14th floor
Cleveland, OH 44113-1857
Tel: (216) 687-8446
Fax: (216) 687-8423
E-mail: william.oberdick@usdoj.gov